IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 19202 of 2006

DATED: 11.10.2006

Between:

M.D. Aslam petitioner

And

APSRTC
Rep by VC & MD, Musheerabad
Hyderabad and another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 19202 OF 2006

ORAL ORDER :

In the present writ petition, the petitioner seeks a direction to the second respondent to reconsider his review application dated 24.5.2002
in terms of circular No. 48/95 dated 21.07.1995 and the judgment in Contempt Case No. 593 of 2003 dated 16.4.2002 and reinstate him into service with all consequential benefits.

The petitioner, while working with the respondent corporation as Driver, was issued with a charge sheet dt 15.5.2000 alleging rash and negligent driving of the vehicle on 29.4.2000. The petitioner submitted his explanation and having not satisfied with the same, an enquiry was ordered. The enquiry officer submitted his report dated 20.10.2000. After calling for the objections of the petitioner, a show cause notice of removal from service dated 20.11.2000 was issued to the petitioner.

Ultimately by proceedings dated 11.12.2000 the petitioner was removed from service. The appeal and review filed by the petitioner were rejected by orders dated 6.4.2001 and 8.11.2001 respectively. The Criminal case registered against the petitioner in C.C. No 593 of 2000 ended in acquittal vide judgement dated 16.4.2002. After acquittal in the criminal case, the petitioner submitted a review application on 24.5.2002 before the second respondent to reconsider the matter in terms of circular No.48 of 1995 dated 21.7.1995 and the same is pending. Hence the present writ petition on the ground that

reasonable opportunity was not afforded to the petitioner in the disciplinary enquiry and that his objections were not considered and he was illegally removed from service.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent corporation. Both counsel agreed for disposal of the writ petition at the admission stage, with a direction to dispose of the review application expeditiously.

Since, the review application submitted by the petitioner in terms of Clause (L) of Circular No. 48 of 1995 is pending before the second respondent, and in view of the agreed stand taken by both the counsel, I deem it appropriate to dispose of the writ petition, directing the second respondent –Regional Manager, to dispose of the review application in accordance with law, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 11.10.2006

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